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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,960	07/16/2003	James C. Peterson	009785-0139(15895US01)	9985
23446 7590 04/06/2007 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			EXAMINER DINH, MINH	
			ART UNIT 2132	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/620,960	PETERSON, JAMES C.	
	Examiner	Art Unit	
	Minh Dinh	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/5/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed 01/05/07. Claims 1, 35, 44 and 55 have been amended.

Response to Arguments

2. Applicant's arguments with respect to claims 25-64 have been considered but are not persuasive. Applicant's amendments have necessitated a new search and new grounds of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 25-28, 30-38, 40-47, 49-58 and 60-64 are rejected under 35 U.S.C. 102(b) as being anticipated by "GlobalSCAPE Releases CuteZIP 1.0, the Next-Generation ZIP Utility, Combining Music and File Compress" (hereinafter "GlobalSCAPE").

With regards to claims 25-26, 31-36, 41-45, 50-56 and 61-64, GlobalSCAPE discloses a method for generating a ZIP archive (a data container) comprising one or more compressed and encrypted data files using an application wherein the application incorporates Twofish Encryption Algorithm, which employs encryption keys of up to 256 bit in length, and standard ZIP encryption (page 1, "Strong Encryption for Compressed Files ... files are safe and secure.")

With regards to claims 27-28, 37-38, 46-47 and 57-58, GlobalSCAPE does not explicitly disclose using Lempel-Ziv/Deflate type data compression algorithm; however these features are inherent to ZIP format specification.

With regards to claims 30, 40, 49 and 60, GlobalSCAPE does not explicitly disclose that a data file can be stored in the ZIP archive without being compressed; however this feature is inherent to ZIP format specification.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 29, 39, 48 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over GlobalSCAPE as applied to claims 26, 36, 45 and 56 above, and further in view of Nelson ("Data Compression with the Burrows Wheeler Transform"). GlobalSCAPE does not disclose using Burrows Wheeler Transform (BWT) data compression algorithm. Nelson disclose using BWT data compression algorithm (page 4, The Burrows Wheeler Transform and BWT Basics). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify GlobalSCAPE method to use BWT data compression algorithm, as taught by Nelson. Original ordering of data elements can be restored with no loss of fidelity (page 4, 5th paragraph).

7. Claims 25-28, 30-38, 40-47, 49-58 and 60-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over ".ZIP File Format Specification" (hereinafter "ZIP Specification") in view of GlobalSCAPE.

With regards to claims 25-26, 31-36, 41-45, 50-56 and 61-64, ZIP Specification discloses a method for generating a ZIP archive (a data container) comprising one or more compressed and encrypted data files using an application (Decryption, pages 20-21). ZIP Specification does not discloses using Twofish Encryption Algorithm for encrypting the compressed data files. GlobalSCAPE discloses using Twofish Encryption Algorithm, which

employs encryption keys of up to 256 bit in length, for encrypting compressed data files. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify ZIP Specification method to use Twofish Encryption Algorithm, as taught by GlobalSCAPE, in order to provide strong encryption.

With regards to claims 27-28, 37-38, 46-47 and 57-58, ZIP Specification discloses using Lempel-Ziv/Deflate type data compression algorithm (pages 5, 13).

With regards to claims 30, 40, 49 and 60, ZIP Specification discloses that a data file can be stored in the ZIP archive without being compressed (page 5).

8. Claims 29, 39, 48 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over ZIP Specification in view of GlobalSCAPE as applied to claims 26, 36, 45 and 56 above, and further in view of Nelson. ZIP Specification and GlobalSCAPE do not disclose using Burrows Wheeler Transform (BWT) data compression algorithm. Nelson disclose using BWT data compression algorithm (page 4, The Burrows Wheeler Transform and BWT Basics). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined method of ZIP Specification and GlobalSCAPE to use BWT data compression algorithm, as

taught by Nelson. Original ordering of data elements can be restored with no loss of fidelity (page 4, 5th paragraph).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schneier et al., "Twofish : A 128-Bit Block Cipher"

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MD

Minh Dinh
Examiner
Art Unit 2132

3/31/07

A handwritten signature in black ink, appearing to read "Gilberto R.", with a long horizontal flourish extending to the right.

GILBERTO BARRÓN JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100